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August 5, 2021

Hon. Gabriel W. Gorenstein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007  
*VIA ECF*

## MEMORANDUM ENDORSEMENT

**Re: Allman, et al. v. Apple-Metro, Inc., et al.**  
**Docket No.: 20-CV-00892 (PGG)(GWG)**

Dear Judge Gorenstein:

This firm represents Plaintiffs in the above-referenced matter. I write jointly with Defendants' counsel to request a further extension of time to file a *Cheeks* motion to approve a settlement agreement between the parties from today to September 10, 2021. This is the first request of this type and there is no prejudice to any party.

By way of status report, we submitted a consent to your jurisdiction to the judgments clerk in accordance with the SDNY procedures. We expect that the Hon. Gardephe will have received it in due course.

The reason for our request is twofold. Firstly, counsel for the parties need more time to agree on the text of the settlement agreement. Unfortunately, owing to a misunderstanding between counsel as to who would draft the document, we only recently undertook the task. However, because counsel for both sides focus their practice in this area, we do not envisage much difficulty in agreeing on the text of the document.

Secondly, I will be out of the country from August 20, 2021 to September 6, 2021 with limited access to my office files. Moreover, my clients are in the process of moving to Florida, which may also delay and complicate communication. While opposing counsel and I will make every effort to finish the draft of the document and try to execute it before I leave the country on

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August 20, 2021, this is a very ambitious schedule and this is why we request the extension until the time I return from abroad.

We thank the Court for its attention to the foregoing.

Respectfully,

/s/Robert Wisniewski  
Robert Wisniewski

cc: (via ECF)

Craig Benson, Esq.  
Daniella Adler, Esq.  
*Counsel for all Defendants*

**Extension to September 10, 2021 granted.**

**So Ordered.**

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge  
August 6, 2021